

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NICHOLAS SAMPSON,)	
)	
Plaintiff,)	8:07CV155
)	
and)	
)	
MATTHEW LIVERS,)	
)	
Plaintiff,)	8:08CV107
)	
v.)	ORDER
)	
EARL SCHENCK, et al.,)	
)	
Defendants.)	

This matter is before the court on Nicholas Sampson's Motion to Quash Notice to Take Deposition ([Filing No. 153](#)). The movant did not file a brief or index of evidence in support of the motion. Further, the motion contains no legal citation or legal basis to quash. Finally, there is no indication in the motion whether the movant complied with [NECivR 7.1\(i\)](#).

NECivR 7.1(i) states:

To curtail undue delay in the administration of justice, this court will not consider any discovery motion unless counsel for the moving party, as part of the motion, shows in writing that after personal consultation with counsel for opposing parties and sincere attempts to resolve differences, they are unable to reach an accord.

See [NECivR 7.1\(i\)](#) (emphasis added). The rule further defines personal consultation and the showing required. **See** [NECivR 7.1\(i\)\(1\)](#). Accordingly, the court will not consider the motion based on the movant's failure to comply with the rule. Upon consideration,

IT IS ORDERED:

Mr. Sampson's Motion to Quash Notice to Take Deposition ([Filing No. 153](#)) is denied.

DATED this 17th day of December, 2008.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge